

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MANUEL SAAVEDRA,

Plaintiff,

VS.

LORIE L. DAVIS, *et al*,

Defendants.

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CIVIL ACTION NO. C-12-103

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DISMISS CERTAIN CLAIMS AND TO RETAIN ACTION**

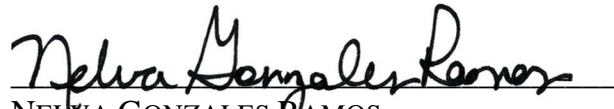
On July 5, 2012, United States Magistrate Judge Brian L. Owsley issued his “Memorandum and Recommendation to Dismiss Certain Claims and to Retain Action” (D.E. 10). The Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections were timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s Memorandum and Recommendation (D.E. 10), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the

findings and conclusions of the Magistrate Judge. Accordingly, the Court **RETAINS** Plaintiff's failure to protect claim against Major Castro and service is **ORDERED** on this Defendant. Plaintiff's claims against the remaining Defendants are **DISMISSED WITH PREJUDICE** for failure to state a claim and/or as frivolous.

ORDERED this 9th day of August, 2012.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE